

**WAUKESHA COUNTY
MINUTES OF THE PARK AND PLANNING COMMISSION
ADMINISTRATION CENTER, ROOM AC 255/259
THURSDAY, APRIL 2, 2009, 1:00 P.M.**

CALL TO ORDER

Gary Goodchild, Vice-Chairperson, called the meeting to order at 1:00 p.m.

Commission

Members Present:	Pat Haukohl	Bob Peregrine	Jim Siepmann	Gary Goodchild
	Walter Kolb	Bonnie Morris	Bill Mitchell	

Commission

Members Absent:

Staff

Members Present: Richard L. Mace, Planning and Zoning Manager
Elfriede Sprague, Clerk III
Sandra Scherer, Senior Planner

Guests Present:	Lee Bleecker	Robert Laue	Adam Holmes	Dean Wanty
	John Jorgensen	Jeff Hoffman	Atty. Brad Hoeschen	

CORRESPONDENCE: None.

MEETING APPROVAL: None.

MINUTES

- *Mr. Mitchell moved, seconded by Mr. Peregrine, and carried unanimously for approval of the March 19, 2009 Minutes.*

PUBLIC COMMENT: None.

• **SCU-448G (Okauchee Lions Club) Town of Oconomowoc, Section 36**

Mr. Mace presented the "Staff Memorandum" dated April 2, 2009, and made a part of these Minutes. He pointed out the location of the property at N49 W34400 Wisconsin Avenue in the Town of Oconomowoc on the aerial photograph and stated the petitioner is requesting to increase the number of large and small special events on the property.

Mr. Mace explained that over the years, there have been many amendments made to the original conditional use. Because the Lion's Club membership and leadership constantly changes, Staff decided to incorporate all the current and past conditions into this Staff Report, so there would be a clear understanding by the Lion's Club as to what all the conditions of approval are. Mr. Peregrine agreed there is a problem with knowing "who is in charge". Whenever a representative of the Club comes before the Town Plan Commission, the petitioner is not knowledgeable about what the Club has done in the past or what the rules are and it typically is a different group of members. He would like to add a condition addressing that point.

Mr. Peregrine moved to add the following condition to the Staff Report and Recommendation.

The petitioner shall provide the names, addresses and telephone numbers of its members having responsibility for scheduling events at Lion's Park to the Town Planner and its Police Chief, on or before May 1 of each year, starting in 2009.

The Commission asked why this was not added as a Town condition? He replied the Town thought it was covered. He believes it is necessary to know who has responsibility for scheduling events at Lion's Park. It would create accountability for the Club. The Commission felt it was a good idea to have an up to date contact list. Mr. Goodchild commented that in the Town of Ottawa some conditional uses do require a current contact be given, including the address and phone number. If the contact changes, the Town requires notification of the change, so if there are any problems, the Town knows immediately who the current contact is.

The motion was seconded by Mrs. Haukohl and carried unanimously.

Mrs. Haukohl asked which special events that would have amplified music until midnight. Mr. Peregrine replied Old Okauchee Days and the Fire Department Street Dance, which are both civic events. At the public hearing, some of the neighbors did express concern about the loud music but were agreeable to the Town's conditions regarding the days and times it is allowed.

After further discussion, Mr. Peregrine moved, seconded by Mr. Siepmann, and carried unanimously for approval, as conditioned in accordance with the "Staff Report and Recommendation" and with the added condition mentioned above. The approval of this request will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **PO-08-OCOT-8 (Okauchee Lions Club) Town of Oconomowoc, Section 36**

Mr. Mace presented the "Staff Report and Recommendation" dated April 2, 2009, and made a part of these Minutes and stated the request is related to the previous matter (SCU-448G).

After further discussion, Mrs. Morris moved, seconded by Mr. Kolb, and carried unanimously for approval, as conditioned in accordance with the "Staff Report and Recommendation" and with the following added condition.

The petitioner shall provide the names, addresses and telephone numbers of its members having responsibility for scheduling events at Lion's Park to the Town Planner and its Police Chief, on or before May 1 of each year, starting in 2009.

The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **SCU-256H (Robert Laue, operator - Laue Landscape Design Solutions) Town of Ottawa, Section 2**

Mr. Mace presented the "Staff Report and Recommendation" dated April 2, 2009, and made a part of these Minutes. He pointed out the location of the property W359 S1614 S.T.H. 67 in the Town of Ottawa on the aerial photograph and stated the petitioner is requesting amendments to the existing Conditional Use to include the continued sale of mulch, stone, bricks and block and add the seasonal sale of Christmas trees, trees, bushes, topiary, pavers, top soil, compost, sand, traffic bond, straw and perennials, etc.

Mr. Mitchell commented that at the public hearing, a person was concerned about the amount of trees removed. He asked what was meant by the comment. Ms. Scherer identified the area of tree removal and the disturbed wetland area. She stated per a court order, the wetlands are being restored and the Town is

requiring some additional landscaping along the front property line. They have also requested that Mr. Laue work with the property owner to do some more restoration to the south lot line. Mr. Goodchild commented this request appears to be an expansion into other uses. Mr. Laue replied this request includes the sale of Christmas trees. Ms. Scherer commented its more than just the sale of Christmas trees, a complete list of requested uses is listed in the Staff Report. Mr. Laue was asked if he planned any landscaping by the entrance to the business. He replied he would like to create some rolling hills and display the different mulches and products that he sells. He would also like to display and sell topiaries. Ms. Scherer explained Corporation Counsel was consulted to see if Mr. Laue could sell trees, bushes and topiary. They responded that these items were not allowed in the current zoning district. The Ordinance only allows the sale of items that are grown on the site. Chairperson Haukohl asked Mr. Laue if understood that no chemicals are allowed, ie., lawn fertilizer, etc. Mr. Laue replied, "Yes". He asked if there would be any way to allow the sale of trees. He has trees delivered to the site that are for his landscaping projects and they only remain on the premises a short while. Ms. Scherer replied the reason tree sales were denied is because the Ordinance does not allow it in the current zoning district. An option could be to apply to rezone the property to a more accommodating zoning district. He asked if he would be able to sell the topiary framework only, without any plantings on them. Mr. Goodchild asked if Mr. Laue had specifically asked the Town that, because they are very specific as to what he is allowed to sell. Ms. Scherer replied the objection was to the growth on the topiary, however if he just wants to sell the structure, it may not be objectionable. Mr. Goodchild wondered if Mr. Laue were to ask the Town Plan Commission if the sale of topiary framework is allowed, and they approve, would it be necessary for him to reappear before the Park and Planning Commission. The Commission agreed it would not be necessary if the Town approved the request and it complied with the zoning district regulations.

After discussion, Mr. Mitchell moved, seconded by Mrs. Haukohl, and carried unanimously for approval as conditioned, in accordance with the "Staff Report and Recommendation" with the addition of the following condition:

It is not necessary for the Waukesha County Park and Planning Commission to approve the sale of the topiary framework, as long as the Town Plan Commission approves of the sale of the topiary framework and the item complies with the district zoning regulations.

The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• PO-09-OTWT-1 (Robert Laue, operator - Laue Landscape Design Solutions) Town of Ottawa, Section 2

Mr. Mace presented the "Staff Report and Recommendation" dated April 2, 2009, and made a part of these Minutes. He stated the request is related to the previous matter (SCU-256H).

After discussion, Mr. Kolb moved, seconded by Mr. Peregrine, and carried unanimously for approval as conditioned, in accordance with the "Staff Report and Recommendation" with the addition of the following condition:

It is not necessary for the Waukesha County Park and Planning Commission to approve the sale of the topiary framework, as long as the Town Plan Commission approves of the sale of the topiary framework and the item complies with the district zoning regulations.

The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

• **CU-1386B (International Union of Painters and Allied Trades District Council No. 7) Town of Vernon, Section 1**

Mr. Mace presented the “Staff Report and Recommendation” dated April 2, 2009, and made a part of these Minutes. He pointed out the location of the property S68 W22665 National Ave. in the Town of Vernon on the aerial photograph and stated the petitioner is requesting to amend the existing Conditional Use Permit to permit the International Union of Painters and Allied Trades District Council No. 7 to utilize the building as office space and a training facility.

Mr. Mace explained this property is the former Waynz World/Long Neck facility. It was the subject two public hearings where the public reaction was overwhelmingly in favor of trying to maintain the existing facility. It was stated at the hearing that the ability to continue that use by the present owner was not the issue the Town and County was allowed to consider, they are only concerned with the proposed use complying with and being appropriate for the zoning category it is located in. He explained the Union is proposing to utilize the entire building for administrative space and as a training facility. There will be an addition of a loading dock on the northeast corner of the building, which will require a revised Landscape Plan to help shield it from C.T.H. “ES”. Further landscaping to shield the property from the abutting highway and adjacent land uses is also being required. The amount of parking on site significantly exceeds what the use needs and the Union intends to maintain the existing parking area. They indicated they have had preliminary discussions with the Town of Vernon regarding a lease to use the outdoor sports recreational facilities; however, the details have not been finalized. There are still some outstanding stormwater retention related issues that need to be corrected, in particular, there is a large pond area where the safety shelf is not providing adequate protection. These outstanding issues are still from when Waynz World occupied the building; however, the Union will have to resolve the problems before occupancy. Mr. Mitchell expressed concern regarding the storing and disposal of paints and hazardous waste. Atty. Brad Hoeschen, representing the Union, replied a vast majority of the paints to be used will be acrylic. Those that are not will only be used in very small amounts in a paint booth and controlled internally. All toxic paints will be kept in fire retardant cabinets. This has been discussed with the Fire Chief and a location for the paints has already been picked out. The acrylics will not be stored in the fire retardant facilities. Propane will be used to run the forklift and it will also be stored in the fire retardant cabinets. Aside from those two things, the Union is not expecting to be using any other hazardous chemicals. If they do use any other chemicals, they would be stored appropriately. A private purveyor will be used to pick up the waste on an on call basis. He continued this is a training facility and spraying hundreds of gallons of paint is very costly so they will be using a virtual spray booth. Several Commission members felt that working with the Fire Dept. should be an added condition, to insure there were no safety issues regarding the hazardous waste. Mr. Mace asked Atty. Hoeschen if the Union was clear on the stormwater requirements. He replied they understood what needed to be done. Mr. Mace added because the County did not want to include it as a condition to be resolved prior to purchase. The intent is to work with the Union and get the situation corrected.

After discussion, Mr. Mitchell moved, seconded by Mr. Peregrine, and carried unanimously for approval, as conditioned in accordance with the “Staff Report and Recommendation” with the addition of the following condition:

The petitioner must notify the local Fire Chief if they have any hazardous material and the location of the material. The hazardous waste must be kept in the appropriate storage facilities.

The approval of this request, will allow the petitioners a reasonable use of their land and meets the intent and purposes of all County Ordinances.

ADJOURNMENT

With no further business to come before the Commission Mr. Peregrine moved, seconded by Mrs. Morris and carried unanimously to adjourn at 2:00 p.m.

Respectfully submitted,

Bonnie Morris
Secretary

BM:es

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